

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

SANTOS ESPARAZA, JR. §
VS. § CIVIL ACTION NO. 9:17-CV-45
MR. KUYKENDALL, ET AL. §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Santos Esparaza, Jr., a prisoner currently confined at the Hughes Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Mr. Kuykendall, Mr. Dees, Mr. Manns, Mr. Gilbert Rodriguez, Mr. Flowers, and unidentified defendants.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing the claims against defendant Gilbert Rodriguez.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report and recommendation of the Magistrate Judge (document no. 41) is **ADOPTED**. A

partial judgment will be entered in this case in accordance with the Magistrate Judge's recommendation.

So ORDERED and SIGNED this **5** day of **August, 2018**.



Ron Clark, Senior District Judge